

REMARKS/ARGUMENTS

Claims 1, 4 to 9 and 12 to 20 were rejected under 35 USC 102(b) as being anticipated by an Donagata et al article entitled "D Blue: An advanced Enterprise Information, Search and Delivery System" , and also on the basis of public use or sale of the D.Blue System described in the above Donagata et al article. (A copy of the article accompanying the rejection dated 4/17/2008 states that the article was published on 1/1/00.)

In response to the 4/17/08 office action, the applicants' attorney enclosed a note from Dr. Moon J. Kim and a copy of the article containing a corrected publication date of 10/12/02. The applicants' attorney then pointed out that since the article was not first published on 1/1/00 but on 10/21/02, the article does not constitute a bar under 35 USC 102(b) nor does it show that the present invention may have been in public use in the United States for more than one year before filing of this application. The Examiner stated that the showing was insufficient to disqualify the application of the Doganata reference under 35 USC 102(b) without the submission of an affidavit or declaration in support of the stated facts. See Appendix A containing a Declaration from Dr. Moon J. Kim, as requested by the Examiner, along with a copy of the article containing the publication date of October 21, 2002.

In addition of not creating or disclosing a possible bar to filing under 35 USC 102(b), the article does not constitute a prior art reference that precludes patentability of the present invention under other sections of 35 USC 102. The inventors of the present invention are authors of the article.

In addition, the article does not disclose subject matter claims in all the claims of the application. For instance, the applicants' attorney did not find anything in the Donagata et al article about searching the log of the database for customers unsatisfactory

search queries and then adding keywords in those unsatisfactory queries as meta/data to the applicable documents missed by such queries.

For these and other reasons, the claims of this application are not barred by the contents of the Donagata et al article, and the existence of the article does not preclude their patentability under 35 USC 102 or 103.

Rejection Under 35 USC 112

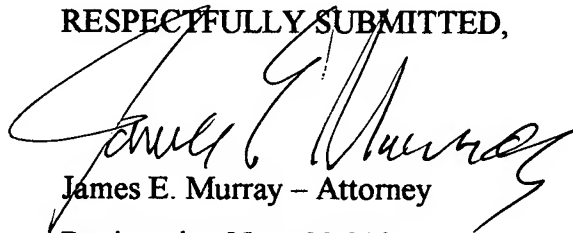
The Examiner stated that the rejection under this section has been overcome by the applicants' amendment.

Claim Objections

The Examiner stated that the objections to the claims have been overcome by applicants' amendments.

Therefore, it is respectfully requested that the application be reconsidered, allowed and passed to issue.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read "James E. Murray", is written over the typed name.

James E. Murray – Attorney

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